

Remarks:

Applicant is filing a Request for Continued Examination (RCE) together with this Amendment in order to correct some obvious errors discovered in the specification as filed and claims, as previously amended during prosecution of this application.

In the Amendment dated September 22, 2009, Applicant amended the claims and filed a Terminal Disclaimer to overcome the Final Rejection of June 25, 2009. In response, the Examiner issued a Notice of Allowance dated October 28, 2009. As a result, the issue fee would have been due January 28, 2010. However, as noted above, Applicant has discovered some errors in the specification and claims, and thus instead of paying the issue fee due January 28, 2010, Applicant has filed an RCE together with the present Amendment that corrects the errors in the specification and claims. More specifically, Applicant has discovered that the formula for the τ -butyrate ester set forth in allowed claims 9, 14, 26, 32 and 38 was incorrectly illustrated. The side chain for the τ -butyrate ester should be attached to position one of the cyclopentene ring and not at the location of the methyl group normally attached at position six of the cyclopentene ring. Accordingly, Applicant has corrected claims 9, 14, 26, 32 and 38 by substituting the correct formula for the τ -butyrate ester. Support for this amendment can be found in the specification as filed at page 11 as compound 2 in schemes 1, 2 and 3 illustrated therein. Thus, no new matter has been added via the present amendment.

In addition to the above amendments to the structural formula, Applicant has also clarified claims 20, 29, 35, 43, 46 and 49. All of these claims have been amended to delete the phrase "set forth" in the last line thereof in order to clarify these claims and comply with the Examiner's Amendment set forth in the "Examiner-Initiated Interview Summary" which accompanied the Notice of Allowance. In addition, claims 20 and 43 have been amended to eliminate the word "characterized" and substitute the word "caused" to also comply with the Examiner's "Interview Summary" and "Examiner's Amendment" accompanying the Notice of Allowance. Again, no new matter has been added to these claims, and these claims have merely been amended to conform with the Examiner's request to clarify the language thereof.

Claim 41 has also been amended via the present response. Again, claim 41 has merely been amended to correct the structural formula shown therein so that the side chain properly extends from position one of the cyclopentene ring. As the Examiner will remember, claim 41 was added via the Amendment of September 29, 2008 at the request of the Examiner, i.e. the Examiner

requested Applicant limit the substituent "R" to the elected species and thus claim 41 was added and limited to a tertiary alcohol attached to an all-trans-retinoic acid nucleus.

The present amendment also corrects two structural formulae found at page 24 of the application as filed. First, the τ -butyrate ester at page 24, line 7 has been corrected to illustrate the side chain extending from the carbon one position of the cyclopentene ring. Support for this amendment can be found in the specification at page 11, schemes 1, 2 and 3 as compound 2 therein.

Finally, the structural formula for the pinacol ester found at page 24, line 9 has also been corrected. Again, the formula has been corrected to show that the side chain extends from the carbon one position of the cyclopentene ring. Support for this amendment can be found at page 14, example 5, scheme 5, at line 22.

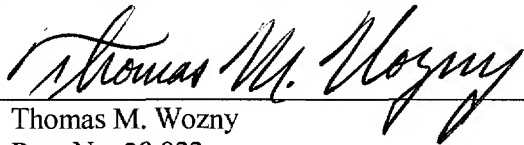
It should further be noted by the Examiner that the cholesterol structure illustrated at page 24, line 2 was also incorrectly illustrated as filed because the side chain should be attached at carbon 17, not carbon 16. However, the cholesterol structure was corrected via the Amendment dated March 31, 2008 and so it has not been discussed further in the present Amendment

Applicant thus requests the Examiner enter the amendments made to the specification and claims set forth herein, and once again allow all of the pending claims as indicated in the Notice of Allowance of October 28, 2009.

An effort has been made to place this application in condition for allowance and such action is earnestly requested.

Respectfully submitted,

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